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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,097	11/14/2003	Daisuke Nakamura	016914-0230	1950

22428 7590 09/08/2005

FOLEY AND LARDNER  
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3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER
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HAUGLAND, SCOTT J

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/712,097	Applicant(s) NAKAMURA ET AL.	
	Examiner Scott Haugland	Art Unit 3654	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |



## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2, 5, 6, and 12-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, line 14, "the means" lacks sufficient antecedent basis.

In claim 2, lines 15, 17, and 20-21, "a pair of support means" should be --the pair of support means-- since the pair of support means was previously recited on line 8.

In claim 2, lines 24-25, "the opposing support member" lacks antecedent basis.

In claim 5, line 1, "the path change-over means" lacks antecedent basis. There is antecedent for "path change-over device" in claim 1.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 12-16 rejected under 35 U.S.C. 102(b) as being anticipated by JP 6-115786 or JP 6-74104.

JP '786 and JP '104 disclose structure for decreasing the distance between the roll supports and include pressure change assigning means for changing the pressing force of the roll supports against an inner tube of the roll. The roll supporting and pressure change structures of both apparatus are capable of increasing pressing force in the event of an emergency stop.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-11 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over either of JP 6-115786 or JP 6-74104 in view of Miller et al (U.S. Pat. No. 6,299,099).

JP '786 and JP '104 are described above.

The Japanese documents do not disclose the claimed details of the support members.

Miller et al teaches forming support members of a paper roll support device with a contact member, an insertion section, and a flange. The contact members travel along inclined grooves formed in the surface of the insertion section.

It would have been obvious to one having ordinary skill in the art to provide the roll support device of JP '786 or JP '104 with support members each having a contact

member, an insertion section having inclined grooves in which the contact member travels, and a flange as taught by Miller et al to permit the support members to grip and securely hold the paper roll.

### ***Response to Arguments***

Applicants arguments filed 6/9/05 have been fully considered but they are not persuasive.

Applicants argue that JP 6-115786 does not teach a paper roll support device for a rotary press that includes a pressure change assigning means that reciprocates in a direction of movement of the support means, that provides pressure to at least one support means to cause movement in a direction reducing a distance between a pair of support means, and is for "selectively changing over and assigning pressure for carrying out movement in a direction so as to reduce a distance between a pair of support means between at least two magnitudes, wherein in the event of a sudden stop of a rotary press, the pressure change assigning means is adapted to increase contact force between the support means and the inner tube of the paper roll by increasing pressure to cause movement in a direction to reduce a distance between a pair of support means", does not teach a pressure change assigning means that includes a path change-over means and at least one fluid pressure setting means, and does not teach a paper roll detachment and change-over means for changing a path of fluid for creating pressure in the pressing means.

However, the pressure change assigning means including 2, 9, etc. of JP 6-115786 reciprocates in a direction of movement of support means 1. The pressure change assigning means provides pressure to the support means 1 to cause movement of the support means in a direction reducing a distance between the pair of support means. The pressure change assigning means selectively changes the pressure between at least two magnitudes (see abstract). The pressure on the support means is controlled in response to the detected amount of slippage between the support means and a tube of a roll held by the support means. In the event of a sudden stop, the pressure would be increased automatically to eliminate slippage.

Applicants argue that JP 6-74104 does not teach a device that uses an emergency braking time and does not teach a pressure change assigning means that increases contact force between support means and an inner tube of a paper roll by increasing pressure in the event of a sudden stop of a rotary press. However, JP 6-74104 has the structure required by the claims. JP 6-74104 has pressure change assigning means that changes contact force between support means and an inner tube of a paper roll. The disclosed structure is capable of increasing contact force between support means and the inner tube of a paper roll during emergency braking. The valves 18, 27 can be operated to increase the force exerted by the support means on the tube of the paper roll during emergency braking.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. The new ground of rejection was necessitated by the addition of the limitations of claims 9-11 and 17-19 relating to details of the support members.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*sjh*  
sjh  
9/1/05

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